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Jacqueline Dedo

8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 ED LOMONT and LUIS ANGULO,
derivatively on behalf of nominal defendant
12 Workhorse Group, Inc.,

13 Plaintiffs

14 vs.

15 DUANE HUGHES, STEVE SCHRADER,
ROBERT WILLISON, STEPHEN FLEMING,
16 ANTHONY FUREY, RAYMOND CHESS,
GERALD BUDDE, H. BENJAMIN
17 SAMUELS, HARRY DEMOTT, MICHAEL
CLARK, PAMELA MADER, and
18 JACQUELINE DEDO,

19 Defendants

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WORKHORSE GROUP, INC.,

21 Nominal Defendant
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Case No: 2:22-cv-00980-CDS-VCF

**STIPULATION AND ORDER TO
VOLUNTARILY DISMISS WITH
PREJUDICE**

1 The Parties to this Action, by and through their undersigned counsel of record, and
2 pursuant to Rules 23.1(c) and 41(a) of the Federal Rules of Civil Procedure, hereby stipulate to
3 dismiss all claims asserted in this Action, with prejudice, and in support thereof, state as follows:

4 WHEREAS, on June 22, 2022, Plaintiffs filed the Verified Shareholder Derivative
5 Complaint in this Action;

6 WHEREAS, on April 10, 2023, the Parties to this Action executed a Stipulation of
7 Settlement filed in the factually related shareholder derivative action captioned *In re Workhorse*
8 *Group, Inc. Stockholder Derivative Litigation*, Case No. A-21-833050-B, pending in the Eighth
9 Judicial District of the State of Nevada in and for Clark County (the “State Court Action”);

10 WHEREAS, the Stipulation of Settlement resolves all pending factually related
11 shareholder derivative claims, including those asserted in this Action;

12 WHEREAS, on April 21, 2023, Clark County District Court Judge Nancy Allf issued an
13 order in the State Court Action granting preliminary approval of the Stipulation of Settlement,
14 which directed that notice should be distributed to current shareholders of nominal defendant
15 Workhorse Group, Inc.;

16 WHEREAS, on June 21, 2023, Judge Allf held a final approval hearing in the State
17 Court Action, at which any interested stockholders were afforded the opportunity to be heard
18 regarding the Stipulation of Settlement;

19 WHEREAS, on June 22, 2023, Judge Allf signed the Order and Final Judgment
20 approving the Stipulation of Settlement, finding that notice thereof satisfied due process
21 requirements and constituted due and sufficient notice of the Stipulation of Settlement, and
22 dismissing the State Court Action, with prejudice;

23 WHEREAS, pursuant to Section 5.5 of the Stipulation of Settlement, Plaintiffs are now
24 required to dismiss this Action, with prejudice;

25 NOW THEREFORE, it is hereby stipulated and agreed by the Parties to this Action, by
26 and through their undersigned counsel of record, that subject to approval of the Court, this

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Action shall be dismissed with prejudice pursuant to Rules 23.1(c) and 41(a) of the Federal Rules of Civil Procedure, with each party to bear his, her, or its own costs.

Dated this 27th day of June, 2023.

By: /s/ Robert J. Cassity
J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
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*Attorneys for Defendants Raymond Chess,
Gerald Budde, H. Benjamin Samuels,
Harry DeMott, Michael Clark,
Pamela Mader, and Jacqueline Dedo*

Dated this 27th day of June, 2023.

By: /s/ Daniel I. Aquino
Daniel I. Aquino, Esq.
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Las Vegas, NV 89102

*Attorneys for Defendants Duane A. Hughes,
Steve Schrader, Stephen Fleming, Robert
Willison, and Anthony Furey*

Dated this 27th day of June, 2023.

By: /s/ Willem F. Jonckheer
Robert C. Schubert
Willem F. Jonckheer
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Attorneys for Plaintiffs

Dated this 27th day of June, 2023.

MORRIS LAW GROUP

By: /s/ Steve Morris
Steve Morris, Esq.
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Las Vegas, NV 89106

*Attorneys for Nominal Defendant Workhorse
Group, Inc*

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: June 27, 2023

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